

**DETAILED ACTION**

Claims 1-40 and 45-78 are pending.

**Per Examiner's Amendment**

Claims 35 and 40 are canceled.  
Claims 31-34, 36-39 and 45 are amended.

Claims 1-34, 36-39 and 45-78 are allowed.

**Continued Examination Under 37 CFR 1.114**

**I.** A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/31/2007 has been entered.

**Response to Arguments**

**II.** In view of the Appeal Brief filed on 8/6/2007, PROSECUTION IS HEREBY REOPENED.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is a non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendment, affidavits (37 CFR 1.130, 1.131 or 1.132) or

other evidence are permitted. See 37 CFR 1.193(b)(2).

**III.** Applicant's arguments with respect to claims 1, 14, 29-31, 36 and 45 have been considered and are persuasive. Thus the 35 U.S.C. 103 (a) rejection of the above claims have been withdrawn.

### **Examiner's Amendment**

**IV.** An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

**V.** Authorization for this Examiner's amendment was given in a telephone interview with Atty. Rob DeVoto on November 13, 2007. Please make the following changes:

- **In Claim 31:** in line 1 replace “readable” with—*storage*—.
- **In Claim 32:** in line 2 replace “readable” with—*storage*—.
- **In Claim 33:** in line 2 replace “readable” with—*storage*—.
- **In Claim 34:** in line 2 replace “readable” with—*storage*—.
- **CANCEL: Claim 35**
- **In Claim 36:** in line 1 replace “readable” with—*storage*—.
- **In Claim 37:** in line 2 replace “readable” with—*storage*—.
- **In Claim 38:** in line 2 replace “readable” with—*storage*—.
- **In Claim 39:** in line 2 replace “readable” with—*storage*—.
- **CANCEL: Claim 40**
- **In Claim 45:** in line 1 after “interface” insert—*embodied on a computer storage medium*—.

### **Reasons for Allowance**

**VI.** This communication warrants no Examiner's reason for allowance, as Applicant's reply makes evident the reason for allowance, satisfying the record as whole as required by rule 37 CFR 1.104 (e). In this case, the substance of Applicant's comments in the arguments filed on 8/6/2007 with respect to the claimed limitations sufficiently present the reasons claims are patentable over the prior art of record. Thus, the reason for allowance is in all probability evident from the record and no statement of an Examiner's reason for allowance is necessary (see MPEP 13202.14).

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

**VII.** Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The Examiner can normally be reached on Monday-Friday 8:30-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:  
09/597,784  
Art Unit: 2141

Page 5

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*Kristie D. Shingles*  
*Examiner*  
*Art Unit 2141*

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